

12.625 FLYING ARMED ON OFFICIAL BUSINESS

Reference:

Title 49, Code of Federal Regulations, Section 1544.219

Definitions:

Federal Air Marshals –specially trained and equipped Federal law enforcement officers assigned to selected flights to take necessary action to prevent hijacking of an aircraft and loss of life. ***Protection of their identity is critical.***

Federal Flight Deck Officer – a pilot who has volunteered, been selected for, and completed a Transportation Security Administration Training Program, authorizing them to carry a firearm to protect the flight deck of an aircraft.

Information:

Full-time municipal, county, and state law enforcement officers are permitted to be armed on commercial aircraft when on official business necessitating a need to have a weapon on a specific flight segment. Some examples of a demonstrated need to be armed are:

- Protective escort duty.
- Hazardous surveillance operations.
- On official business and required to arrive prepared for duty.

An airline has the authority to refuse to allow a law enforcement officer to fly armed.

Sworn personnel are reminded to be discreet in all aspects of flying armed. This includes when notifying the airline representative, presenting the necessary documents, bypassing the Passenger Screening Checkpoint, and while onboard the flight.

After boarding but prior to closing the aircraft's doors, the airline crew must notify the Pilot-In-Command of the airline of each armed law enforcement officer aboard the aircraft. The airline crew must also notify armed law enforcement officers of the location of other armed law enforcement officers aboard the aircraft, including Federal Air Marshals and Federal Flight Deck Officers.

The Pilot-In-Command is the final authority onboard the aircraft.

Policy:

Only sworn personnel on official Police Department business who have completed the Transportation Security Administration's Law Enforcement Flying Armed Training Course will fly armed.

Only the Police Chief or an assistant police chief can grant authorization for sworn personnel to fly armed.

Sworn personnel flying armed may not consume alcohol within the eight hours prior to the flight nor consume any alcohol while onboard the flight.

Procedure:

- A. Officers Identifying a Need to Fly Armed Shall:
 - 1. Complete Form 17, Authorization to Fly Armed, and forward it through channels for approval.
- B. Airport Check-In Process.
 - 1. Check in at the ticket counter of the affected airline at least one hour prior to flight departure. In emergency circumstances, notify the affected airline as soon as possible if less than one hour.
 - 2. Identify yourself as a law enforcement officer who is flying armed to the airline representative.
 - 3. Present the following credentials at the ticket counter:
 - a. Cincinnati Police Department Identification Card and badge.
 - 1) A badge alone will not be accepted as a means of identification.
 - b. Original Form 17, Authorization to Fly Armed.
 - 1) A photocopy will not be accepted.
 - 2) Retain the original Form 17, Authorization to Fly Armed, for all segments of the flight itinerary.
 - c. State of Ohio Driver's License.
 - 4. The airline should issue a "Notice of Law Enforcement Officer (LEO) Flying Armed" form or equivalent.
 - a. Fill out the form completely, accurately, and sign.
 - 5. If the airline refuses to allow you to fly armed:
 - a. Request assistance from the airline's Customer Service Representative who may be able to assist in resolving issues encountered at the ticket counter or boarding gate.
 - b. If the issue cannot be resolved and the airline still refuses to allow you to board the plane armed, place the unloaded weapon and ammunition in checked baggage.

- 1) A locked, hard-sided container is required to store the firearm if being placed in checked baggage. Sworn personnel should always bring this item with them in their checked baggage in case the airline refuses to allow them to fly armed.
 - a) Ammunition must be placed in the factory carton or other similar packaging. Ammunition may not stay loaded in the weapon's magazines.

C. Check-In Process for Screening Checkpoints.

1. After leaving the airline ticket counter, respond to the checkpoint of the assigned gate.
2. Proceed to the checkpoint exit lane and identify yourself as a law enforcement officer who is flying armed to a TSA agent.
3. Present the following documents for inspection:
 - a. Cincinnati Police Department Identification Card and badge.
 - b. Original Form 17, Authorization to Fly Armed.
 - c. State of Ohio Driver's License.
 - d. "Notice of LEO Flying Armed" form.
4. The TSA agent will contact a representative from the local law enforcement agency whose jurisdiction covers the affected airport to respond and verify the credentials.
5. If problems are encountered, request to speak to a TSA Screening Supervisor who may be able to resolve issues encountered at the screening checkpoint.

D. Check-In Process at Boarding Gate.

1. Upon arrival at the boarding gate, identify yourself as law enforcement officer who is flying armed to the gate agent and discreetly present the "Notice of LEO Flying Armed".
2. Upon boarding the plane, present the "Notice of LEO Flying Armed" form to the flight crew.
 - a. The flight crew and/or Pilot-In-Command may also request to see your credentials and authorization form.
3. Present the "Notice of LEO Flying Armed" form to the gate agent and flight crew on all segments of the flight itinerary, including transfer and connector flights.

4. The Pilot-In-Command has the final approval on whether a law enforcement officer will fly armed on the plane.
 - a. If the Pilot-In-Command refuses to allow an officer to fly armed, place the firearm in checked baggage.

E. Officers Flying Armed

1. Shall at all times keep the firearm concealed and out of view of the public, if not in uniform.
2. Shall at all times keep complete control of the firearm on their person.
 - a. The firearm may not be carried off the officer's person in any manner, i.e., carried in a purse or placed in an overhead storage compartment.
3. Shall not carry the Department issued chemical irritant or any other type of self defense spray onto a commercial aircraft, even if in uniform.
 - a. The issued chemical irritant canister may be carried in checked baggage.

F. Response to Incidents aboard Aircraft

1. For disorderly passengers and other non-life threatening situations, allow the flight crew to handle the incident. They have been trained to handle most crisis situations.
 - a. Only assist if requested by airline personnel.
2. For aircraft hijackings or other life-threatening situations **do not** take action if there are Federal Air Marshals onboard unless they specifically request assistance.
3. For aircraft hijackings or life threatening situations when there are not Federal Air Marshals aboard, take the necessary action to prevent loss of life or serious physical harm.

G. Discharging of Firearms aboard Aircraft

1. Officers who are required to discharge their firearm aboard an aircraft to prevent loss of life or serious physical harm are cautioned that shot placement is critical. Errant shots that do not strike an intended target may cause:
 - a. Damage to the hydraulic, fuel, electrical systems, or engine of the airplane.
 - b. Possible fire.
 - c. Serious injury or death to innocent persons.